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FIRST DIVISION

[A.M. No. 1052-CCC. March 20, 1979]

RE: RECOMMENDATION FOR DISMISSAL FROM THE SERVICE OF MRS. CECILIA MENDIETTA, Interpreter, Circuit Criminal Court, Pasig, Metro Manila.

SYLLABUS

ADMINISTRATIVE LAW; PUBLIC OFFICERS AND EMPLOYEES; DISCOURTESY; SANCTION. — An employee of a Court of Justice should always practice the virtue of courtesy in answering telephone calls, and may be reprimanded for discourteous behavior.

RESOLUTION

MELENCIO-HERRERA, *J.*:

In a letter dated January 26, 1979,* Judge Onofre A. Villaluz of the Circuit Criminal Court, Seventh Judicial District (Pasig, Rizal), recommends the dismissal of his Court's Interpreter, Mrs. Cecilia Mendietta, for being notoriously undesirable in violation of General Order No. 14.

The specific incident in support of the charge of notorious undesirability is that on January 24, 1977, at about 2:30 P.M., Mrs. Mendietta answered a telephone call and after asking who the caller was and the answer was that it was Atty. *Buena*, she replied that she was "Señorita *Malas*." Upon investigation the next day by Judge Villaluz, she explained that because she had a previous call from somebody who said that he was a certain "Atty. Tsong Tsay Tong," she believed that it was the same prankster who identified himself as Atty. *Buena*, so that jokingly, she also said that she was "Señorita *Malas*." When she was made to realize by officemates that the caller was Atty. Buena of the Supreme Court, she immediately apologized to the latter. In her own words, she said:

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"x x x *noong una ho may tumawag Atty. Tsong Tsay Tong daw ho, akala ko ho nangloloko pa, humingi naman ho ako nang tawad.* x x x."

Upon the record, we believe that there is as yet no clear and definite showing that Mrs. Mendietta was critically lacking in courtesy in regards to superior officers. To dismiss her would be too drastic a punishment, considering specially the indication that, during the same telephone call, after realizing that the caller was not playing a joke, she had apologized already.

However, Mrs. Mendietta should be made to understand that, as an employee of a Court of justice, she should always practice the virtue of courtesy and that there are ways and means of dealing with molesting calls without causing an incident such as that which actually occurred.

ACCORDINGLY, the recommendation of Judge Onofre A. Villaluz for the dismissal from the service of Mrs. Cecilia Mendietta is denied, but she is hereby reprimanded for her discourteous behavior with the warning that any similar act of discourtesy in the future will be dealt with more severely.

Let this Resolution be noted in the personal record of Mrs. Cecilia Mendietta.

SO ORDERED.

Teehankee (Chairman), Makasiar, Fernandez, Guerrero, and *De Castro, JJ.*, concur.

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* The letter-recommendation is addressed to Atty. Arturo Buena, Executive Officer, Supreme Court.